

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET BEFORE THE HONORABLE JUDITH C. HERRERA									
CR No:	19-91 JCH	USA vs.	Pacheco, Jr						
Date:	10/22/20	Defendant:	Justin John Pacheco, Jr						
Time In/Out:	3:01 – 3:33		Total Time in Court:			32 minutes			
Clerk:	E. Romero		Court Reporter:			Paul Baca			
AUSA:	Niki Tapia-Brito		Defendant's Counsel:			Wayne Baker			
Sentencing in:	remote - via Zoom		Probation Officer:			Kelly Borland			
Interpreter:	n/a		Interpreter Sworn?			<input type="checkbox"/>	Choose an item.		
Convicted on:	Plea		As to:	Superseding Indictment			Counts:		
Guilty Plea:			Plea Agreement:						
Date of Plea/Verdict:	11/5/19	PSR:	Not Disputed	<input checked="" type="checkbox"/>	Courts adopts PSR Findings	Evidentiary Hrg:	Not Needed		
Exceptions to PSR:									
SENTENCE IMPOSED									
IMPRISONMENT (BOP):		51 months							
<input checked="" type="checkbox"/>	500-Hour Drug Program	<input type="checkbox"/>	BOP sex-offender treatment program			Other:			
SUPERVISED RELEASE:		3 years				<input checked="" type="checkbox"/>	Mandatory/Standard Conditions		
SPECIAL CONDITIONS OF SUPERVISION									
<input checked="" type="checkbox"/>	Participate in/successfully complete outpatient substance abuse treatment program & grant waiver of confidentiality			<input type="checkbox"/>	Submit to substance abuse testing				
<input checked="" type="checkbox"/>	Submit to search of person/property			<input checked="" type="checkbox"/>	Refrain from use/possession of alcohol/intoxicants				
<input checked="" type="checkbox"/>	Not knowingly purchase, possess, distribute, administer, use any psychoactive substances			<input type="checkbox"/>	Must not possess, sell, offer for sale, etc. any drug paraphernalia				
<input checked="" type="checkbox"/>	Participate in/successfully complete mental health program & grant waiver of confidentiality			<input type="checkbox"/>	Must take all mental health medications as prescribed				
<input checked="" type="checkbox"/>	Participate in community-based program for education and training in parenting			<input type="checkbox"/>	Reside at a Residential Reentry Center for up to 180 days				
<input type="checkbox"/>	Community service:			<input checked="" type="checkbox"/>	No contact with any known gang member without prior approval				
<input type="checkbox"/>	Participate in an educational or vocational service program			<input type="checkbox"/>	No new credit charges, lines of credit, financial contracts, etc				
<input type="checkbox"/>	Provide financial information & authorize release of information			<input type="checkbox"/>	Not engage in an occupation/business/profession/volunteer that would require/enable work in a fiduciary capacity				
<input type="checkbox"/>	Location monitoring for 24 months – GPS – curfew component			<input type="checkbox"/>					
MONETARY PENALTIES / FORFEITURES									
Fine: \$	-0-	Restitution: \$	-0-	SPA: \$	100.00	Due Immediately			
Forfeit rights title & interest in:									
OTHER									
<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement			<input checked="" type="checkbox"/>	Held in Custody				
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration: FCI USP Tucson, Arizona; USP Victorville, California; USP Lompoc, California.								
<input type="checkbox"/>	Dismissed Counts:								
PROCEEDINGS									
Court in session – parties state appearances; Court confirms defendant agrees to appear by Zoom; Parties have no pending objections; Court outlines records reviewed for sentencing; Mr. Baker addresses Court re: sentencing and requests a downward variance followed by inpatient treatment; Mr. Pacheco addresses Court; Ms. Tapia-Brito has nothing to add; Mr. Baker again addresses Court; Ms. Tapia-Brito responds; Court addresses defendant and imposes sentence.									